

ENTERED

February 01, 2022

Nathan Ochsner, Clerk

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:**PARK 4 LESS, LLC****Debtor.**

§
§ Chapter 7
§
§ Case No. 21-31686

CHRISTOPHER MURRAY, TRUSTEE**Plaintiff****v.****Adv. No. 22-03015**

**REHAN REHMAN; AZRA RASHID;
ARSHAINA REHMAN; &
ARSHMAINA REHMAN
Defendants**

§
§
§
§
§

**AGREED ORDER GRANTING TRUSTEE'S EMERGENCY APPLICATION FOR
TEMPORARY RESTRAINING ORDER, PRELIMINARY INJUNCTION AND
TURNOVER OF PROPERTY OF THE ESTATE**

The Court, having considered the *Emergency Application for Temporary Restraining Order, Preliminary Injunction and Turnover of Property of the Estate* (the “**Application**”) against Defendants, Rehan Rehman, Azra Rashid, Arshaina Rehman, & Arshmaina Rehman (collectively, “**Defendants**”) filed by Christopher Murray (the “**Trustee**”), chapter 7 trustee for the estate of Park 4 Less, LLC (the “**Debtor**”), any evidence presented, and any arguments of counsel, finds that notice was proper and adequate and that just cause exists to grant the relief requested by the Trustee.

The Court hereby finds that: (a) the Trustee has demonstrated a substantial likelihood of success on the merits of his claims under 11 U.S.C. §§ 362, 542, and 549; (b) Defendants are in possession of estate property and have failed to turn over the property to the Trustee, including \$49,247.38 in IBC Bank account x4283 as of January 28, 2022; (c) the transfer of the SBA Loan proceeds were not authorized by the Bankruptcy Code or this Court; (c) if a temporary restraining order and an order for turnover of property of the estate is not issued, there is a substantial threat that the movant will suffer irreparable injury; (d) the threatened injury to the estate and Trustee outweigh

any potential damage that the Defendants might suffer; and (e) the injunction will not disserve the public interest.

Accordingly, it is hereby:

ORDERED that Defendants shall turn over the SBA Loan proceeds to the Trustee within 24 hours of the entry of this Order. This shall include, but is not limited to, the \$49,247.38 in account x4283 held at IBC Bank; it is further

ORDERED that the Trustee may present this Order to IBC Bank as evidence of his entitlement to the balance contained in account x4283, and that IBC Bank shall be entitled to rely on this Order as authorization to turn over such funds to the Trustee; it is further

ORDERED that Defendants shall not take any action, directly or indirectly, to transfer, use, or otherwise exercise any control over the SBA Loan proceeds in any manner other than to transfer those funds to the Trustee; it is further

ORDERED that the Trustee shall hold such funds in trust pending further order of this Court; it is further

ORDERED that Defendants shall provide an accounting and full financial disclosure related to the SBA Loan proceeds within 10 days after the entry of this Order setting forth in detail the manner in which the SBA Loan proceeds were used; it is further

ORDRED that any Defendant who violates this Order shall be held in contempt of Court; it is further

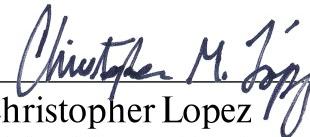
ORDERED that the Trustee shall serve a copy of this Order on the Defendants forthwith; it is further

ORDERED that the Trustee shall not be required to post a bond or other form of security; it is further

ORDERED that a preliminary injunction hearing is set for February 15, 2022 at 2:00 p.m..

ORDRED that the Court shall retain jurisdiction over all aspects of interpretation and implementation of this Order.

Signed: February 01, 2022


Christopher Lopez
United States Bankruptcy Judge

REVIEWED AND AGREED:

JONES MURRAY & BEATTY LLP <u>/s/ J. Maxwell Beatty</u> J. Maxwell Beatty Tex. Bar No. 24051740 max@jmbllp.com 602 Sawyer St., Suite 400 Houston, TX 77007 Telephone: (832) 529-1999 Facsimile: (832) 529-3393 <i>Proposed Counsel for Christopher Murray, Chapter 7 Trustee</i>	OKIN ADAMS LLC <u>/s/ Timothy L. Wentworth</u> Timothy L. Wentworth Tex. Bar No. 21179000 twentworth@okinadams.com 1113 Vine St. Suite 240 Houston, Texas 77002 Telephone: (713) 228-4100 Facsimile: (888) 865-2118 <i>Counsel for the Defendants</i>
--	--